

Message Text

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11

ACTION COME-00

INFO OCT-01 EA-07 ISO-00 DLOS-06 OES-06 EB-07 L-03 INT-05

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FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 0689

INFO AMEMBASSY TOKYO

LIMITED OFFICIAL USE SEOUL 9340

EO 11652: N/A

TAGS: EFIS, KS

SUBJ: ROK DIRECTOR GENERAL OF FISHERIES EXTENDS CONTROL OVER
DISTANT WATER FISHERMEN

REF: STATE 260669

1. REGRET DELAY IN REPLY WHICH IS ATTRIBUTABLE TO A DESIRE TO CONFIRM THE LEGAL UNDERPINNINGS FOR THE OFA DIRECTOR GENERAL'S AUTHORITY UNILATERALLY TO TAKE THE ACTIONS DESCRIBED PARA THREE REFTEL. EMBASSY HAD BEEN MONITORING THE OFFICIAL GAZETTE, THE KOREAN "FEDERAL REGISTER", IN WHICH NO CHANGES IN FISHERY REGULATIONS HAVE RECENTLY APPEARED.
2. THE AUTHORITY TO INSTITUTE PENALTIES FOR VIOLATIONS OF INTERNATIONAL AGREEMENTS FLOWS FROM THE OFA'S LICENSING FUNCTION AND THEREFORE NO REGULATORY CHANGES HAVE BEEN NECESSARY.
3. EMBASSY CONCURS IN DECLASSIFYING THAT PART OF PARA THREE OF SEOUL 8101 BEGINNING WITH THE WORDS, "THE ROKG WILL..." END LIMITED OFFICIAL USE.
4. BEGIN UNCLASSIFIED

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ADDITIONALLY, ON SEPTEMBER 27, 1976 OFA ISSUED GUIDE-

LINES TO THE SUPERVISORY INSPECTORS EMBARKING ON FISHING BOATS BOUND FOR THE NORTH PACIFIC OCEAN WHERE THEY WILL MOVE AMONG KOREAN VESSELS TO ASSURE COMPLIANCE WITH KOREAN LAWS INCLUDING THE REQUIREMENTS OF AGREEMENTS WITH FOREIGN COUNTRIES AND GOOD FAITH WITH FOREIGN NATIONALS. INSPECTORS ARE EMPOWERED TO "INSPECT, IMPOUND OR QUESTION BOOKS, DOCUMENTS AND ANY ARTICLES OF SUSPECTS OR OFFENDERS AND TO ORDER THEM TO CEASE FISHING OR RETURN HOME. (RETURN TO BASE REQUIRES ADVANCE APPROVAL BY THE DIRGEN OF FISHERIES.)" END UNCLASSIFIED.

5. BEGIN LIMITED OFFICIAL USE

EMBASSY IS IN POSSESSION OF COPIES OF INTERNAL OFA MEMOS RE SHIPS IN VIOLATION OF US/ROK AGREEMENT WHICH RECOMMENDS THAT THE DIRGEN TAKE APPROPRIATE (DISCIPLINARY) ACTION. BUT THE DIRGEN'S ACTION ON SUCH RECOMMENDATIONS DEPENDS ON TOO MANY VARIABLES, SUCH AS WHEN VIOLATIONS OCCURRED, WHETHER SHIPS ARE AT SEA, TIMING OF LICENSE RENEWALS, ETC., FOR EMBASSY TO TRY TO FOLLOW THEM CURRENTLY. NEEDLESS TO SAY, ADMIRAL SHIN HAS AUTHORITY AND IS UNDOUBTEDLY PREPARED TO USE IT TO KEEP THE KOREAN FISHING FLEET IN LINE.
SNEIDER

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